



Original: English

**No. ICC-02/18
Date: 20 November 2024**

THE APPEALS CHAMBER

Before: Judge Gocha Lordkipanidze, Presiding
Judge Tomoko Akane
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa
Judge Erdenebalsuren Damdin

SITUATION IN THE BOLIVARIAN REPUBLIC OF VENEZUELA I

Public document

**Decision on the Prosecutor's urgent request for extension of time to file
submissions**

Decision to be notified in accordance with regulation 31 of the Regulations of the Court to:

The Office of the Prosecutor

Mr Karim A. A. Khan, Prosecutor

States Representatives

Competent authorities of the Bolivarian
Republic of Venezuela

Other

Arcadia Foundation

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

The Appeals Chamber of the International Criminal Court,

Having before it the “Request for Recusal of the Prosecutor of the International Criminal Court in the Case of Venezuela I Due to Conflict of Interest” of 12 November 2024 (ICC-02/18-92-AnxII),

Having before it the “Prosecutor’s Urgent Request for Extension of Time to File Submissions” of 19 November 2024 (ICC-02/18-96-Red),

Renders, pursuant to regulation 35(2) of the Regulations of the Court, the following

DECISION

1. The “Prosecutor’s Urgent Request for Extension of Time to File Submissions” is granted, in part.
2. The time limit for the filing of the written submissions by the Prosecutor with respect to the “Request for Recusal of the Prosecutor of the International Criminal Court in the Case of Venezuela I Due to Conflict of Interest” is extended to 29 November 2024.

REASONS

I. PROCEDURAL HISTORY

1. On 12 November 2024, the Registry transmitted to the Appeals Chamber the “Request for Recusal of the Prosecutor of the International Criminal Court in the Case of Venezuela I Due to Conflict of Interest”, submitted by the Arcadia Foundation.¹

¹ [Registry Transmission of a “Request for Recusal of the Prosecutor of the International Criminal Court in the Case of Venezuela I Due to Conflict of Interest”](#), ICC-02/18-92, with four public annexes, including [Annex I](#) (“Formal Complaint Regarding Conflict of Interest and Ethical Violations Involving Ms. Venkateswari Alagendra and ICC Prosecutor Karim Khan”); [Annex III](#) (“Urgent Call for Preventive Action Against Ongoing Crimes Against Humanity in Venezuela”).

2. On 15 November 2024, the Appeals Chamber set a deadline for the Prosecutor to file written submissions with respect to the abovementioned request, until 22 November 2024.²

3. On 18 November 2024, the Registry transmitted to the Appeals Chamber two separate documents submitted by the Arcadia Foundation, providing clarifications in relation to the request and related documents submitted on 12 November 2024.³

4. On 19 November 2024, the Prosecutor filed an urgent request for extension of time until 13 December 2024 to file his submissions in relation to the aforementioned matter (hereinafter: “Request for Extension of Time”).⁴

II. MERITS

5. Pursuant to regulation 35(2) of the Regulations of the Court, a Chamber may extend a time limit if good cause is shown.

6. The Prosecutor submits that “good cause” exists warranting the extension of time sought, given his current professional commitments, including an ongoing mission and the Assembly of States Parties which will take between 2 and 7 December 2024.⁵

7. For the foregoing reasons, the Appeals Chamber considers that “good cause” has been shown warranting an extension of time for the filing of the Prosecutor’s submissions with respect to the “Request for Recusal of the Prosecutor of the International Criminal Court in the Case of Venezuela I Due to Conflict of Interest”. As to the length of the extension, the Appeals Chamber recalls its duty to ensure that the proceedings are conducted expeditiously in accordance with article 64(2) of the Statute. In the circumstances of the present proceedings, the Appeals Chamber

² [Order setting a deadline for the Prosecutor to present written submissions on the “Request for Recusal of the Prosecutor of the International Criminal Court in the Case of Venezuela I Due to Conflict of Interest”](#), 15 November 2024, ICC-02/18-94.

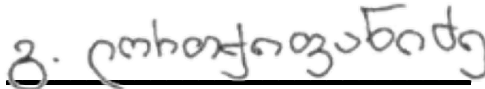
³ [Registry Transmission of “Additional Clarifications on Document Submission and Procedural Concerns Related to Recusal Request and Ethical Review” and “Clarification of Legal Reference in Arcadia Foundation’s Submission on the Request for the Recusal of Prosecutor Karim A. A. Khan, in the Venezuela I Case”](#), ICC-02/18-95, with two public annexes.

⁴ [Prosecutor’s Urgent Request for Extension of Time to File Submissions](#), ICC-02/18-96-Conf (a public redacted version was filed on the same day, ICC-02/18-96-Red).

⁵ [Request for Extension of Time](#), paras 2-4.

considers it appropriate to extend the time limit for the filing of the Prosecutor's written submissions to 29 November 2024.

Done in both English and French, the English version being authoritative.


Judge Gocha Lordkipanidze
Presiding Judge

Dated this 20th day of November 2024

At The Hague, The Netherlands